

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

KORI MOSSER and PAUL MOSSER, *individually* :
and as parents and natural guardians of K.M. a :
minor, :

Plaintiffs, :

v. :

No. 5:23-cv-1785

LAURI MCWILLIAMS, JAMES :
SCHNYDERITE, MATTHEW LINK, :
NORTHERN LEHIGH SCHOOL DISTRICT, :
JOHN DOES I-V, :
Defendants. :

ORDER

AND NOW, this 3rd day of October, 2023, for the reasons set forth in the Opinion issued this date, **IT IS ORDERED THAT:**

1. The Motion to Dismiss, *see* ECF No. 9, is **GRANTED in part** and **DENIED in part** as follows:

A. Count I is **DISMISSED with prejudice** as to Lauri McWilliams and Northern Lehigh School District;

B. Count I is **DISMISSED without prejudice** as to James Schnyderite, Matthew Link, and John Does I-V;

C. Count II is **DISMISSED with prejudice** as to James Schnyderite and Matthew Link;

D. Count II is **DISMISSED without prejudice** as to Northern Lehigh School District;

E. Count III is **DISMISSED with prejudice** as to Northern Lehigh School District;

F. Count III is **DISMISSED without prejudice** as to Lauri McWilliams, James Schnyderite, Matthew Link, and John Does I-V;

G. The motion to dismiss Counts IV and V is **DENIED without prejudice**.

2. **Within twenty (20) days of the date of this Order**, Plaintiffs may file an amended complaint as to any claims dismissed without prejudice.

3. If Plaintiffs do not timely file an amended complaint, the remaining state law claims will be dismissed for lack of jurisdiction and without prejudice to an action to be filed in state court, and the above-captioned action will be closed.

BY THE COURT:

/s/ Joseph F. Leeson, Jr.
JOSEPH F. LEESON, JR.
United States District Judge